

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.722 OF 2005

IN

SUMMARY SUIT NO.2258 OF 2005

1.Parul Builders Pvt.Ltd. & others. ...Plaintiffs

vs.

G.M.Rao ...Defendant.

Mr.Kinkhabwala with Hemang Jariwala i/b. Auroma Law, for Plaintiffs.

Mr.N.B.Patil, for Defendant.

CORAM: D.K.DESHMUKH,J.

DATED: 5th June, 2006.

P.C.:-

1. The suit of the plaintiffs, according to the plaintiffs, is based on the letter the copy of which is at "Exhibit A". In truth and substance that letter is a letter of allotment of a flat in a building by the plaintiffs to the defendant. The suit has been filed for recovery of balance amount of consideration. In truth and substance the suit is for decree of specific performance of the contract. The suit for specific performance of the contract is incapable of being tried as a summary

suit, therefore, the summons for judgment is disposed of. The defendant is granted leave to defend the suit. Written statement be filed within a period of Four weeks from today. Suit be transferred to commercial cause list.
